1

File No. AFD 363 FAL 70

# MYSORE GOVERNMENT SECRETARIAT

## Notes/Correspondence/Collection

Department AGF Section Forest II

Subject:— Forest Defn. N.K. Dist - Ankola Tq - 4 gunts of land in favour of Davakais College at Ankola - Refn. of Sri D.S. Nadkarni M.L.A

Earlier References :—

Later References :—

31-10-70
13-11-70

(Classification A/B/C)
13/11/70

Notes Pages 3
Correspondence Pages 12
For/Not for Section Note Book
To be destroyed after

for Under Secretary to Government.
13/11/71.

Indexed.

1/11/04

Vasanthi R
ಉಪನಿರ್ದೇಶಕರು (ಆಡಳಿತ)
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಅರಣ್ಯ, ಜಂತು ಮತ್ತು ಜೀವವೈವಿಧ್ಯ ಇಲಾಖೆ,
(ಅರಣ್ಯ-2).

2

DOCKET SHEET

Department: A&F

File No. AFD-363-F&L-70

Section Forest A'

Volume:

SUBJECT

Forest Depts - N.K.Dist - Ankola Tq - grant of land in favour of Devakar's college at Ankola - reptn. of Sri D.S. Nadakarni M.L.A - regarding

| Number and date | To whom sent | Instructions |
|---|---|---|
| 1 | 2 | 3 |
| Min. of St. Forests, No. F 1908 Date 3/11/70<br>Secy., A. & F. No. 7664 Date 7/11 | Secy A&F. | |

[P.T.O.

AFD.363.FAL70.

3

NOTE 1.

A draft letter to C.C.F is put up for approval.

12/X

B83

12/X.

9/X

12/10/70.

S.N. 2. letter No. B3/75/CFL/2038/70-71 dated 22.X.70 of the C.C.F. Blr.

NOTE 2.

As forwarded by the Divisional Commissioner Belgaum, the C.C.F has recommended for release of 8 acres out of acceded land adjacent to F.S. No. 108A, of Kodibag and also for the release of 2 acres out of F.S. No. 108A1 of Kodibag, Karwar Taluka for disposal of the same by R.D to various institutions like, Home Guards, N.C.C. Kanara welfare trust, Saraswathi Vidyalaya Tawheed Education Society and for the construction of various offices buildings.

In respect of acceded area, the cost of casuarina plantations raised by the dept. during 1965 to 67 is to be recovered from the beneficiaries to whom lands will be

AFD'363. FGL70

assigned.

We may agree with the proposal of P.C.F.

& draft G.O. is put up for approval

31/10

DS

2/11/70.

Dy. Secy. A&F
No. 6720 2/11.

F.1908

Min (Forests)

approved.

3/11/70

1/11/70.
ALUR HANUMANTHAPPA
Min. of State for Forests

Secy A&F

1/11

7/11/70.

7/11/70.

9/11/70.

10/11

May be issued.

15/11

13/11

p11.

7664

5 12

# PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

Sub: Forest Department - North Kanara District - Karwar Taluka Kodibag village - Release of 8 acres out of accreted land adjacent to P.F.No.108A, and 21 acres out of P.F.No.108A, Sanctioned -

ORDER NO.AFD 363 FCL 70,
DATED: BANGALORE, THE 10TH NOVEMBER 1970.

With reference to letter No.33/75/CFL/2002/70-71 dated 21-10-70, of the Chief Conservator of Forests (General) in Mysore, Bangalore, on the subject mentioned above, the Governor is pleased to accord sanction for the release of 8 acres out of accreted land adjacent to P.F.No.108A, and 21 acres of land out of P.F.No.108A, of Kodibag village, Karwar Taluk, North Kanara District and to its surrender to Revenue Department for disposal as per land grant rules subject to the following conditions:-

(1) In respect of the accreted area, the cost of Casuarina Plantations raised by the Forest Department during 1966 and 1967 shall be recovered from the beneficiaries to whom the lands will be assigned.

(2) As provided by the Town Planning authorities, the required set-back of 100' on the easterm(built-up) side and 200' on the Western side of the West Coast High Way Road shall be left.

(T.A.Srinivasan)
Under Secretary to Government,
Agriculture & Forest Department.

To

The Chief Conservator of Forests(General) in Mysore, Bangalore.
The Divisional Commissioner, Belgaum.
The Deputy Commissioner, North Kanara, Karwar along with 3 files.
Copy to: Revenue Department with their file No. F 35 LCW 70.
Guard File.

hms/9-11/Tcs.

Sl.No.3 6 11

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

Subject: Forest Depts. - N.K Divn - Karwar Taluka Kodibag Village - release of 8 acres out of assessed land adjacent to F.S.No.108A, and 21 acres out of F.S.No.108A, - sanctioned.

ORDER No. AFD. 363-FGL 70.

BANGALORE DATED THE TH NOVEMBER '70.

With ref. to letter No. B3/75/GFL/2038/70-71 dated 22.X.70, of the C.C.F in Mysore B'lore, on the subject mentioned above the Governor is pleased to accord sanction for the release of 8 acres out of assessed land adjacent to F.S.No.108A, and 21 acres of land out of F.S.No.108A, of Kodibag Village, Karwar Taluk, N.K. Divn and with surrender to R.D for disposal as per land grant rules subject to the following conditions:

(1) In respect of the assessed area, the cost of Casuarina Plantations raised by the forest depts. during 1965 and 1967 shall be recovered from the beneficiaries to whom the lands will be assigned.

(2) As provided by the Town Planning authorities, the required setback of 100' on the eastern (built-up) side and 220' on the Western side of the West Coast High way Road shall be left.

2/11/70.
US & SP

To

ISSUED 10-11-1970

cc:
Divisional Commissioner Belgaum.
D.C. N.K. along with 3 f/s.
Copy RD with their f/u No. RD 35 LGN 70.
GR

Sl. No 2

I 10

AFD 8065 FA 70

23/X/70

No.B3/75/GFL/2038/70-71. Encl: Case papers in 3 files

Chief Conservator's Office (Genl)
Bangalore: Dated: 22/10/ 1970.

To

The Secretary to Government,
Agriculture and Forest Department,
BANGALORE.

Sir,

Sub:-Release and disforestment of an area of 21 acres out of F.S.No.208-A.1 of Kodibag for the purpose of lay-out of plots for various purposes.

Ref:-Your No.AFD-363-FGL-70 Dated 17-10-1970. pdf

---

R&L SECTION
A.D.F.D.
No. 4C098
Date 23 OCT 1970

I enclose herewith the correspondence in 3 files ending with letter No.RB/FOR-SR-3170 Dated 6-10-1970 from the Divisional Commissioner Belgaum.

23/10

As recommended by the Revenue Department I have no objection for the release of 8 acres out of accreted land adjacent to F.S.No. 108-A1 of Kodibag and also for the release of 21-0-0 acres out of F.S.No.108-A-1 of Kodibag Village, Karwar taluka for disposal by Revenue Department. However in respect of accreted area, the cost of Casuarina plantations raised by the department during 1965 and 1967, shall be recovered from the benefisheries to whom the lands will be assigned. Moreover the required set-back of 100' on the eastern (built-up) side and 220' on the Western side of the West Coast High Road shall be left as provided by the Assistant Director of Town Planning.

Orders of Government in the matter may kindly be communicated.

Yours faithfully,

Chief Conservator of Forests

N.

Sri R
23/X

8 9

**GOVERNMENT OF MYSORE**

Tele : gram:— "BELDICOM"
phone:— {Res : 1 / Office : 2

From :

The Divisional Commissioner
Belgaum Division, Belgaum.
P. B. No. 3.
Belgaum.

To :

The Secretary to Government,
Agriculture & Forests Department,
P. B. No. 345,
Vidhana Soudha, Bangalore. 1.

No. RB.FOR.SR.3170 Enclo : Date : 6-10-1970.

Sir,

Subject : Release and disforestment of an area of 21 acres out of F.S.No.108-A-1 of Kodibag village and grant of 13 acres accreted land near F.S.No. 108-A.1 of Kodibag for the purpose of lay-out of plots for various purposes.

Ref :

In forwarding herewith the papers of the case ending with the Conservator, K.C.,Dharwar's No.FOP.GFL.SR. 1489/1970-71 dated 13-8-1970 on the above subject, I write to state as under:-

2. This case relates to the Deputy Commissioner, N.Kanara's proposals (a) for grant of accreted land adjacent to F.S.No.108-A-1 of Kodibag to the West of the West-Coast High Way for the campus of the Commerce College, an Institution of the Kanara Welfare Trust to the extent of 5 acres and for a couple of small industries to the extent of 1 acre and for transfer of a portion of the same to the extent of 2 acres to the Fisheries Department, and (b) for release of 21 acres of available forest land comprised in F.S.No.108-A.1 of Kodibag village, for construction of various Government offices and public and semi-public institutions in the said locality ( Please see ketch on page 181 of File I of the case papers).

3. I have examined the proposals and find them to be acceptable. As regards the accreted area of 13 acres to the West of West Coast High way, I concur with the Deputy Commissioner that the raising of the casurina-plantations in the said area by the Forest Department, unilatually and without consulting the Revenue Department is not authorised and the objections taken by the Divisional Forest Officer, Karwar to the disposal of the land cannot be regarded as valid. Apart from it, since the conservator of Forests, K.C.Dharwar, recommends the Deputy Commissioner's proposals, it is unnecessary to consider the objections of the Divl. Forest Officer on the point. These objections also lose their importance as the grant could be made subject to preservation of the Casurina Plantations raised by the forst Department to the extent possible. As observed by the Deputy Commr. this proposal is hit by rule 10(3) of the Mysore Land Grant Rules 1969 which contemplates previous approval of the State Government Relaxation of Rule 15(1) of the said Rules by Government would also be needed as grant of such land is forbidden under the said Rule. In the circumstances explained in the penultimate para on page 3 of the Deputy Commissioner's report, I recommended the Deputy Commissioner's proposals seeking Government's previous approval as enjoined by Rule 10(3) and relaxation of rule 15(1) of the Mysore

Mysore Land Grants Rules 1969 in respect of the grant of land to the Kanara welfare Trust to the extent of five acres for the campus of the Commerce college, on payment of such up-set price as may be fixed by him and subject to such conditions as may be imposed by him and (ii) for the transfer of 2 acres to the Fisheries Department as shown in the sketch, out of the total area of 13 acres of accreted land. As regards grant of the land for establishing small Industries, the Deputy Commissioner, may submit individual proposals after considering the requests of all those who have applied for this land on the ~~merits~~ merits of each case.

4. As regards the release of the available area of 21 acres out of F.S.No.108-A.1 of kodibag village, the Deputy Commissioner's proposals are acceptable to the Conservator of Forests,K.C.Dharwar. Government may be moved to accept the Deputy Commr's proposals and to order release of the said area as per sketch on P.181 of File No.1 for their eventual disposal for non-Agrl. purposes. After the land is released and disforested, the Deputy Commissioner may submit individual proposals for transfer of sites to the Government Departments in need of such sites and for grant of the remaining available area to others after considering each case on merits in accordance with the Land Grant Rules.

5. It has been made clear in the Dy.Commissioner's report that the observations of the Governor of Mysore, that no development should be permitted near the Sea-beach to the South of Karwar-Port are not applicable to the accreted area of 13 acres or to the area of 21 acres proposaed for release out of F.S.No.108-A.1 of Kodibag both of which are reported to be miles away to the North of Karwar port.

6. Case papers in 3 files accompany.

Yours faithfully,

( M.K.Sarvi )
For Divisional Commissioner,Belgaum.

O.C.signed by the
Divl.Commissioner.

Through the Chief Conservator of Forests in Mysore,Bangalore.

cjb/.5.10.3

No.LND-II-I-SR. 1674
Karwar, 15-7-1970.

To

The Secretary to Government,
Agriculture and Forests Department,
Bangalore.

Sir,

Sub:- Release and disforestment of an area of 21 acres out of F.S.No.108A1 of Kodibag village and grant of 13 acres of accreted land near F.S.No.108A1 for the purpose of lay-out of plots for various purposes.

In submitting herewith certain proposals for disforestment and/or grant of plots for various non-agricultural purposes out of F.S.No.108A1 of Kodibag village and adjacent areas, I write to state as under :

A number of applications have been received from various Government offices and public and semi-public institutions for grant of land in the said locality for construction of office buildings, staff quarters and establishment of a College, schools and so on. The more important of these pending applicants are given below :

| Name of the Institution. | Purpose for which applied. |
|---|---|
| 1. District Home Guards. | Office building and parade ground. |
| 2. K.S.C. | Staff quarters. |
| 3. Kanara Welfare Trust. | Commerce College Campus. |
| 4. Saraswati Vidyalaya, Karwar. | For school and playground. |
| 5. Tawheed Education Society. | For school and playground. |

With a view to dispose of these applications in the most suitable and efficient manner possible, a sketch of the total vacant Government land available in the vicinity along with a tentative lay-out plan has been prepared both of which are appended herewith.

It may be observed that there is a total available area of 13 acres formed near F.S.No.108A1 of Kodibag village (as shown in green colour in the sketch at page 181 of File I) which is an accreted land formed near the seashore and is situated on the western side of the ~~National~~ West Coast Highway. Although it does not form part of the reserve forest, the Forest Department has raised casurina plantations in the said area in order to prevent soil erosion. There is a pressing demand for grant of land out of this area from the Kanara Welfare Trust for establishment of a Commerce College. There is also demand for land out of this area from Fisheries Department and for a couple of small local industries.

The Kanara Welfare Trust has obtained affiliation for this Commerce College for the current year and is conducting its classes temporarily in a private building which has been leased for the purpose. The Trust has also collected large funds for the immediate construction of the College building and are prepared to commence work on obtaining a suitable site. There is no other alternative site in Karwar town and its environs which is both suitable and available for the purpose. Hence, as far back as

December 1968, the Deputy Commissioner had reserved 5 acres in the said accreted area for establishment of the proposed College. Due to the urgency of their need, the Trust is now pressing for immediate handing over of possession of the area along with all or most of the casurina trees standing thereon, which they propose to retain as far as possible in order to maintain both the beauty of the campus and the stability of the land against tidal action.

As this is an accreted land formed near the sea coast (as mentioned in section 81 of the Mysore Land Revenue Act,196 ), the Deputy Commissioner is competent to dispose of this area as per sections 91 and 92 of the said Act. However, the area is covered by casurina plantations raised by the Forest De artment. Moreover, it comes within the Municipal limits o Karwar and within one furlong from the High water mark and therefore as per rule 10(3) of the Land Grant Rules,1969, prior sanction of Government is necessary for the disposal of the area in relaxation o rule 15 of the said Rules.

Similarly, there is a total vacant ar a of 21 acres out of F.S.No.108A1 of Kodibag village (as shown in blue colour in the sketch at page 101 of File I) which is situated on the eastern side of the ~~National~~ West coast Highway and is available for disposal. Several Government and other institutions have a plied for grant of land out of this area for purposes such as schools, offices and residential accommodatio . These applicants also request for immediate grant of the area as their institutions are at present run with much difficulty and inconvenience in hired buildings which are not suited to their pur oses. However, as this entire 21 acres is forest area, formal release orders from Government are necessary before it could be granted in the proposed manner. Moreover, the area comes within the Municipal limits of Karwar town and therefore its disposal for the above purposes requires previous approval of Government as per rule 10(3) of the Mysore Land Grant Rules, 1969.

Statutory approval of the Director of Town Planning is not required to the proposed lay-outs as Karwar Municipality and its environs has not been declared as a Planning Area and, further, even the ad-hoc Outline Develo ment Plan which was prepared by the Department in the year 1966 has not been formally approved by the Director. However, the Assistant Director of Town Planning, Karwar, who has unofficially prepared a detailed lay-out plan of the area on my request, intimates that as per observations made by His Excellency, the Governor of Mysore, to the Director of Town Planning after his recent tour in the District, no development should be permitted near the sea beach to the south of Karwar port (i.e. between Karwar port and Binga villagex). A copy of his le ter along with its enclosure at pages 103 to 105 of File II may kindly be perused. These observations are prima facie inapplicable to the present areas both of which are situated several miles to the north of Karwar port. Further, t e lay-out prepared in F.S.No.108/1 etc. falls on the eastern side o the Highway whereas the lay-out drawn up for the accreted area, consisting chiefly of the 5 acre site for the Commerce College is such that it is likely to enhance rather than mar the beauty of the present landscape.

The Port, Fisheries and the Forest Departments were

(3) 12 5

consulted with respect to the proposed lay-outs. The State Port Officer, Karwar, states that the proposed area is not at present required for the purpose of development of Sadashivgad port and that he has no objection for preparation of a detailed survey and lay-out of the area for the purpose from his point of view. (Kindly vide his report at page 123 of File II). The Deputy Director of Fisheries, Indo-Norwegian Project, Karwar, states that as opined by the Director of Fisheries, Bangalore that it would be more convenient if the land situated by the side of the proposed Tourist Bungalow were made available to the Fisheries Department. However, this observation apart, he too has no objection to the proposals. (Regarding his observations relating to the rehabilitation of fishermen in an area of 6 acres and 12 gunthas out of F.S.Nos.86, 87, 92, 93, 106 and 278, a separate proposal for release and disforestment has been submitted to Government in Agriculture and Forests Department through the Divisional Commissioner and the Conservator of Forests - vide this office letter No.LND-II-1-SR-1674 dated 15-7-1970) The Divisional Forest Officer, Karwar Dn., Karwar states that he has no objection for the release of the area situated to the east of the ~~National~~ Highway (i.e. out of F.S.No. 108/1 of Kodibag village). However, as regards the accreted area to the west of the ~~National~~ Highway he opines that raising and maintenance of tree plantation thereon is essential to stabilise this land and that the said area comprises casurina trees planted in 1965 and 1967. He thus does not recommend the release of this area from forestry as well as aesthetic points of view. (Kindly vide his report at page 143 of File II). However, it may be noted here that the accreted area comes within the purview of the Revenue Department and that the occupation of the area for raising casurina plantation by the Forest authorities suffers for want of proper authority. Further, in disposing of the area suitable conditions could always be laid down for preservation of minimum essential tree-growth and securing adequate compensation for untoward losses, if any, to forest revenues. The desire of the Kanara Welfare Trust to retain as much as possible of the tree-growth and preserve the beauty of the landscape may also be noted in this behalf.

Incidentally, it may be pointed out that the required set-back of 100' on the eastern (built-up) side and 220' on the western side of the ~~National~~ Highway has been provided by the Assistant Director of Town Planning in the lay-out sketch.

The town of Karwar is peculiarly situated in that it is hemmed in by hills on the south, by the sea on the west and the Kalinadi on the northern side. It has therefore room to expand only on its eastern flank where there is little or no available Government land and acquisition of private agricultural and other lands would be a costly and time-consuming process.

Thus, taking all factors into consideration, I am of the opinion that there is no alternative but to disforest and/or grant the vacant areas cited above for the proposed purposes. I am therefore to request that Government may kindly be moved to accord sanction (i) to the disposal of the available accreted area of 13 acres(as shown in green colour in the sketch at page 181)for the purposes cited in

13

the enclosed lay-out, and (ii) to release the available area of 21 acres out of R.S.No.10841 of Kodibag village (as shown in blue colour in the sketch at page 181) for disforestment, lay-out of plots and grant for different purposes as shown in the lay-out.

In view of the relative urgency of the matter, early orders are solicited in the matter.

The connected papers in 3 files accompany.

Yours faithfully,

(Cecil Noronha)
Deputy Commissioner, N.Kanara.

Through the Conservator of Forests, Kanara Circle, Dharwar, w.cs. and through the Divisional Commissioner, Belgaum W.Rs.

(in duplicate)

(5) 14 3

Below No.LND.II.I.SR/1674 dt.15-7-1970 from the Deputy Commissioner, N.K., Karwar.

-o-

Subject:-Release and disforestment of an area of 21 acres ~~of~~ out of F.S.No.108A1 of Kodibag village and grant of 13 acres of Accreted land near F.S.No.108A1 for the purpose of lay-out of plots for various purposes.

7528 [Regd] [Encl 3 contain files]

No.FOP.GFL.SR/1489/1970-71.
Dharwar: Dt: 13/-8-1970.

Transmitted together with the case papers in 3 files to the Divnl.Commissioner, Belgaum agreeing for release of the land as proposed by the Deputy Commissioner.

The case papers may please be sent to Government through the Chief Conservator of Forests in Mysore, Bangalore.

Office of The Divisional Commissioner BELGAUM. Date of Receipt: 14 AUG 1970 C. R. R. No. Branch & Complns

Conservator of Forests, K.C.

PSD/11/=

Copy transmitted to the Deputy Commissioner, N.K.Karwar for information.

S/NN-1

15 2

GOVERNMENT OF MYSORE

No. AFD 363 FGL 70.

MYSORE GOVERNMENT SECRETARIAT,
VIDHANA SOUDHA,

*Dated, Bangalore,* 16th Oct 1970.

FROM

The *Secretary to the Government of Mysore*
Agriculture & Forest Department.

To

The Chief Conservator of Forests
(General) in Mysore, Bangalore.

Sir,

Sub: North Kanara District - Grant of land in favour of Devakar's College of Commerce & Gokhale Centenary College at Ankola - representation of Sri D.S. Nadakarni.

---

In enclosing a copy of a representation dated 24-9-70 of Sri D.S.Nadakarni, M.L.A., on the subject mentioned above, I am directed to request you to indicate if there are any cases, on the subject and if so to indicate the stages of the cases, with in a fortnigth positively.

Yours faithfully,

(M.A.Srinivasan)
UnderSecretary to Government,
Agriculture & Forest Department.

Copy of representation dated 24-9-1970.

The correspondence regarding the Devakars college of Commerce College site has been forwarded to Government under Deputy Commissioner, North Kanara Office No.LND.II.SR.1674 dated 15yh July 1970 through the Agriculture & Forest Department. Please expeddte the matter.

Similarly the matter regarding the grant of land to the Gokhale Centenary College at Ankola is pending. I request you to do the needful in the matter.

with regards.

---

[illegible]
Dy 17 X 70

16 1

Sub: N.K.Div - Grant of land in favour of Devakar's college of commerce and Gokhale Centenary college at Ankola - refn. of Sri D.S. Nadkarni M.L.A -

AFD. 363-FOL70

CCF,

In enclosing a copy of representation dated 24.9.70, of Sri D.S. Nadakarni M.L.A. on the subject mentioned above, I am directed to request you to indicate if there are any cases, in the subject and if so to indicate the stages of the cases, with a fortnight possible.

flag F.

J/L

13/10/70

US ASP